

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INSTINET INCORPORATED, INSTINET
HOLDINGS INCORPORATED, INSTINET
GROUP, LLC and INSTINET, LLC,

Plaintiffs, 08 Civ 7141

- against -

Rule 7.1 Statement

ARIEL (UK) LIMITED,

Defendant.

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Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendant Ariel (UK) Limited (“Ariel”), certifies that Ariel does not have corporate parents, affiliates and/or subsidiaries that are publicly held.

Dated: New York, New York
August 27, 2008

BAINTON McCARTHY LLC
By: J. Joseph Bainton (JB-5934)

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